

REMARKS

Claims 1-8, 10-12, 17 and 18, having been withdrawn from consideration by election, are cancelled without prejudice, reserving the right to re-present such claims in timely filed related applications.

Claim 9 has been cancelled and re-presented as new claim 19 closely following the suggestions of the Examiner.

Claim 13 has been cancelled, inasmuch as the substance thereof is incorporated in claim 19.

Claims 14-16 have been amended to conform to parent claim 19, specifying a "yarn", rather than a "yarn or fiber".

It is believed that the claims now presented are allowable in form and substance.

The claims now presented clearly distinguish over the Sheth patent 5,576,366 by calling for the use of a modifier comprising an amorphous PETG and maleic anhydride. Sheth teaches providing a blend of polyester and dyeable olefin. However, Sheth calls for the use of "a fiber grade polyester" (column 3, line 29). A "fiber grade" polyester is known by one skilled in the art as a crystalline

PET polymer. The crystalline PET has a melt temperature which is not compatible with polypropylene and is suitable only for coarse grade mixtures, such as for carpet fibers, where the denier per filament is typically in the range of 15-25 dpf. Fabric grade polyester mixed with polypropylene will not extrude into the fine deniers (1.5 – 4.0 dpf) used in the apparel and home furnishings industries.

A main feature of the Sheth patent involves grafting of ethylene alkyl acrylate copolymer to polyolefin polymer (column 6, lines 66-67). Fiber grade polyester is optional (column 7, lines 51-53). When polyester is not used, fibers of a broad range of deniers are possible (column 8, lines 5-15).

The applicant's claimed invention utilizes PETG, which is an amorphous, not crystalline, material and has a melting point compatible with polypropylene. The addition of maleic anhydride enables the polyolefin and PETG to adhere better in the extrusion process. Importantly, all deniers, small and large, are commercially possible with the applicant's invention. This enables the new yarns to be used in apparel and home furnishings, across all denier ranges.

It is believed that the rewriting of claim 9, in the form now presented in claim 19,

obviates the various § 112 objections raised by the Examiner.

Respectfully submitted,


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